

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

<b>(1) GREAT LAKES INSURANCE SE,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>vs.</b>	)
	)
<b>(1) WAGNER &amp; LYNCH, PLLC,</b>	)
	)
<b>Defendant.</b>	)

**JOINT MOTION TO AMEND SCHEDULING ORDER**

Great Lakes Insurance SE (“Plaintiff”) and Wagner & Lynch, PLLC (“Defendant”) (collectively “the Parties”) file this *Joint Motion to Amend Scheduling Order* and respectfully show the Court as follows:

1. This case, filed on February 10, 2023, stems from the denial of an insurance claim for water damage to a commercial building in Wilburton, Oklahoma, under a policy for insurance issued by Plaintiff to Defendant.

2. On March 21, 2023, the Court entered a Scheduling Order (Dkt. #15), which included a discovery cutoff date of September 29, 2023.

3. Since that time, the Parties have actively engaged in the discovery process as follows:

- a. Great Lakes issued subpoenas for the production of documents to non-parties, Nils Rauniker, FloodSERV, Baytown Construction, and Superior Plumbing on May 22, 2023, and June 16, 2023;
- b. Plaintiff sent its First Discovery Requests to Defendant on June 20, 2023, to which responses were sent on July 22, 2023;
- c. Defendant sent its First Discovery Requests to Plaintiff on July 6, 2023, to which responses were sent on August 8, 2023;
- d. The deposition of Keith Heaslet of Superior Plumbing was taken by Plaintiff on July 28, 2023; and,

e. The deposition of Blake Lynch of Wagner & Lynch was taken by Plaintiff on August 21, 2023.

4. The Parties have attempted to schedule further necessary depositions but have been unable to do so prior to the discovery cutoff date due to varying issues such as family health emergencies, counsels' court schedules, and the difficulty of setting agreeable dates/times for a company headquartered in a foreign country (the UK).

5. Despite the discovery which has occurred over the past several months, additional discovery is still required, including the depositions of key witnesses—the claims adjuster, the claims supervisor, Plaintiff's corporate representative, and the construction company which assisted in the repairs to the property. The Parties propose that additional time is needed to complete this discovery. As such, the Parties have agreed on new deadlines as follows:

<b>CURRENT</b>	<b>PROPOSED</b>	
September 29, 2023	November 17, 2023	Discovery Completed
October 20, 2023	November 29, 2023	All Dispositive Motions filed
October 27, 2023	December 6, 2023	Deposition Designations
November 3, 2023	December 13, 2023	Counter-Designations and Objections
November 10, 2023	December 18, 2023	Exchange all Trial Exhibits and Requested Jury Instructions
November 27, 2023	December 28, 2023	Motions in Limine Filed
December 1, 2023	January 4, 2024	Agreed Jury Instructions, Proposed Voir Dire, Proposed Findings of Fact and Conclusions of Law, Disputed Jury Instructions, and Trial Briefs filed
December 8, 2023	January 8, 2024	Agreed Pretrial Order Submitted
January 11, 2024		Pretrial Conference at 10:30 AM
January 22, 2024		Jury Trial Date at 9:30 AM

6. These dates were proposed to conform with the current pretrial conference date and the current jury trial date, however the Parties are amenable to new pretrial and trial dates if the Court requires more time between deadlines.

7. The Parties request that the court enter an Amended Scheduling Order reflecting these deadlines. Neither Party will be prejudiced by the requested extension, which will permit the Parties to complete discovery.

8. The Parties' mutual recognition that additional time is necessary to complete discovery constitutes good cause to modify the current *Scheduling Order*.

9. In compliance with LCvR 7.1(i), a proposed Amended Scheduling Order is being submitted in conjunction with this *Joint Motion* for consideration by the court.

## CONCLUSION

For the reasons stated above, the Parties respectfully request that the Court grant this *Joint Motion to Amend Scheduling Order* and enter an Amended Scheduling Order reflecting new deadlines set forth herein.

Dated: September 14, 2023.

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Attorney for Defendant Wagner & Lynch,  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of September, 2023, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

[Wes.foundationlaw@gmail.com](mailto:Wes.foundationlaw@gmail.com)

*s/Alexandra J. Gage*

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